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Attorneys for Plaintiffs ABBOTT DIABETES
 CARE INC. and ABBOTT LABORATORIES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABBOTT DIABETES CARE INC. and
 ABBOTT LABORATORIES,

Plaintiffs,

vs.

AGAMATRIX, INC.,

Defendant.

CASE NO. C 06 07268-JF

JOINT STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
CASE MANAGEMENT CONFERENCE

This case concerns the alleged infringement of seven U.S. patents owned by Plaintiffs. Two of the seven patents are also the subject of pending litigation in the Northern District of California: *Abbott Diabetes Care, Inc. et al. v. Roche Diagnostics Corp. et al.*, Case No. 3:05-CV-03117 WHA, and *TheraSense, Inc. and Abbott Laboratories v. Becton Dickinson and Co.*

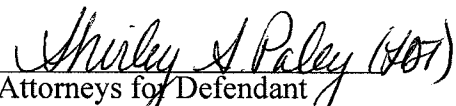
1 *and related cases*; Case Nos. C04-2123 WHA; C04-3327 WHA; C04-3732 WHA (collectively,
2 the “Earlier Litigation”). A third patent in this case is related to another patent subject to the
3 Earlier Litigation. The Earlier Litigation was assigned to The Honorable Martin Jenkins and has
4 recently been transferred to the docket of the Honorable Judge William H. Alsup. Judge Alsup
5 has set a trial date of May 27, 2008 in the Earlier Litigation, and the parties involved in the Earlier
6 Litigation are currently actively involved in pretrial activities.

7
8 In view of Abbott’s involvement in current pretrial activities in the Earlier Litigation and
9 the fact that the parties to this case are continuing to work to resolve document production issues
10 which, in part, involve the cooperation of the defendants in the Earlier Litigation, Abbott
11 Laboratories, Abbott Diabetes Care, Inc., and AgaMatrix, Inc. respectfully request that the case
12 management conference scheduled for May 2, 2008 be continued. The parties stipulate that they
13 have agreed, subject to the Court’s approval, to August 1, 2008 at 10:30 a.m. as an alternative to
14 the current setting.
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2 DATED: April 30, 2008

Respectfully submitted,

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7
8 By: 
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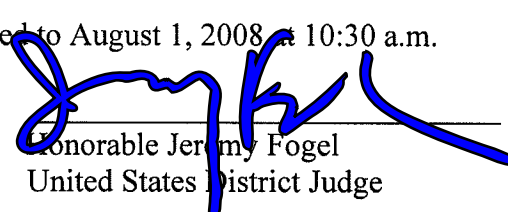
10
11 DATED: April 30, 2008

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16
17 By: 
Attorneys for Plaintiffs
ABBOTT DIABETES CARE, INC. and
ABBOTT LABORATORIES

22 IT IS HEREBY ORDERED that the case management conference, currently
23 scheduled for May 2, 2008, shall be and is hereby continued to August 1, 2008, at 10:30 a.m.

24 Dated: 5/1/08

25 
Honorable Jeremy Fogel
United States District Judge